

The Honorable Robert S. Lasnik

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

CHERYL KATER and SUZIE KELLY,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

CHURCHILL DOWNS INCORPORATED, a
Kentucky corporation, and BIG FISH GAMES,
INC., a Washington corporation.

Defendants.

MANASA THIMMEGOWDA, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

BIG FISH GAMES, INC., a Washington
corporation; ARISTOCRAT TECHNOLOGIES
INC., a Nevada corporation; ARISTOCRAT
LEISURE LIMITED, an Australian corporation;
and CHURCHILL DOWNS INCORPORATED,
a Kentucky corporation,

Defendants.

No. 15-cv-00612-RSL

NOTICE RE: CLASS NOTICE PLAN

No. 19-cv-00199-RSL

NOTICE RE: CLASS NOTICE PLAN

SEAN WILSON, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

PLAYTIKA LTD, an Israeli limited company,
and CAESARS INTERACTIVE
ENTERTAINMENT, LLC, a Delaware limited
liability company,

Defendants.

SEAN WILSON, individually and on behalf of
all others similarly situated,

Plaintiff,

v.

HUUUGE, INC., a Delaware corporation,

Defendant.

No. 18-cv-5277-RSL

NOTICE RE: CLASS NOTICE PLAN

No. 18-cv-05276-RSL

NOTICE RE: CLASS NOTICE PLAN

1 **NOTICE**

2 On October 5, 2020, the Court granted Plaintiffs' unopposed motions continuing
3 settlement deadlines by 35 days and setting a Notice Date of November 9, 2020. Since then,
4 Plaintiffs and the Settlement Administrators have obtained the vast majority of data necessary to
5 effectuate the Notice Plans in the above-captioned cases. Using that data, the Settlement
6 Administrators will—absent an order from the Court directing otherwise—begin effectuating the
7 Notice Plans, pursuant to the Court's orders, on November 9, 2020. The purpose of this Notice is
8 to apprise the Court of two minor issues that are, at present, holding up *completion* of the Notice
9 Plans. The two issues are as follows:

10 *First*, the parties in *Kater* are awaiting a decision on Plaintiffs' Motion to Compel
11 Nonparty Amazon.com, Inc. to Produce Documents. (Dkt. 224.) Amazon has agreed, through its
12 counsel, that the Court's decision in *Kater* will govern its production obligations in *Wilson v.*
13 *Playtika* and *Wilson v. Huuuge*. Promptly upon the issuance of the Court's order resolving
14 Plaintiffs' motion, Plaintiffs in each case will propose to the Court an appropriate method of
15 completing the notice program for Amazon customers.

16 *Second*, the Parties in *Wilson v. Huuuge* are still awaiting a data production from Apple
17 to the Settlement Administrator, slated to occur on November 14, 2020. Promptly upon
18 production of that data, Plaintiff will advise the Court of any further developments related to
19 timely completing the notice program for Apple customers.

20 To be clear, the vast majority (*i.e.*, more than 90%) of direct notices are scheduled to be
21 disseminated on or immediately after November 9, 2020. In addition, Plaintiff and the Settlement
22 Administrators are scheduled to commence the digital notice program on November 9, 2020, and
23 have already established live Settlement Websites. The two issues identified in this notice are
24 estimated to impact less than 10% of the direct class notices, and Plaintiffs anticipate—upon the
25 Court's entry of an order in *Kater* and Apple's production of data in *Wilson v. Huuuge*—
26 promptly completing all direct notice programs without incident.

1 DATED this 6th day of November, 2020.

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3 Respectfully submitted,

4 **SUZIE KELLY, CHERYL KATER, MANASA**
5 **THIMMEGOWDA, and SEAN WILSON,**
6 individually and on behalf of all others similarly
situated,

7 By: /s/Todd Logan

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20 *Plaintiffs' Attorneys and Class Counsel*